

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ADJUSTACAM LLC

v.

AMAZON.COM, INC.; ET AL.

NO. 6:10-cv-329-LED

JURY

**UNOPPOSED MOTION BY PLAINTIFF TO TAKE LIMITED DISCOVERY**

Plaintiff AdjustaCam, LLC (“AdjustaCam”) respectfully submits this Unopposed Motion for Limited Discovery, as follows:

Pending before the Court is a Motion to Dismiss and alternative Motion to Transfer Venue filed defendants Intcomex, Inc., Klip Xtreme LLC and Software Brokers of America, Inc. (collectively the “Movants”) (Dkt. No. 274) (the “Motion to Dismiss/Transfer”). Plaintiff seeks limited discovery from the Movants preparatory to responding to the Motion to Dismiss/Transfer. Accordingly, Plaintiff requests, and Movants do not oppose, certain discovery to occur prior to the Court’s entry of its Discovery Order for the case, as follows:

1. Plaintiff may presently serve interrogatories and requests for production upon, and take a Rule 30(b)(6) deposition of, each of the Movants, provided that such discovery is limited to issues relevant to the Motion to Dismiss/Transfer.
2. Movants may presently serve interrogatories and requests for production upon, and take a Rule 30(b)(6) deposition of, Plaintiff provided that such discovery is limited to issues relevant to the Motion to Dismiss/Transfer.
3. The foregoing discovery relative to the Motion to Dismiss/Transfer shall not limit discovery on the merits should the case proceed to that point.
4. Nothing in this joint motion is intended to limit a party’s right to object to any given discovery request.
5. The foregoing discovery relative to the Motion to Dismiss/Transfer shall be subject to a suitable protective order if requested by the Movants.

Plaintiff submits that good cause exists for such unopposed discovery in view of the need to respond to the Movants' pending Motion to Dismiss/Transfer.

This motion is not opposed by the Movants.

WHEREFORE, premises considered, Plaintiff requests an order permitting that the foregoing discovery occur, and for such other relief to which it may be entitled.

October 27, 2010

Respectfully submitted,

ADJUSTACAM LLC

By: /s/ John J. Edmonds

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ATTORNEYS FOR PLAINTIFF

ADJUSTACAM LLC

**CERTIFICATE OF CONFERENCE**

I hereby certify that Counsel for Plaintiff and Counsel for Intcomex, Inc., Klip Xtreme LLC and Software Brokers of America, Inc. have conferred in accordance with Local Rule CV-7, and that this Motion is unopposed.

October 27, 2010

/s/ John J. Edmonds  
John J. Edmonds

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

October 27, 2010

/s/ John J. Edmonds  
John J. Edmonds